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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 12-00132-EJD
)	
12 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING HEARING DATE
13 vs.)	AND EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
14 GONZALO COVARRUBIAS-FLORES,)	
)	
15 Defendants.)	
_____)	
16)	

17
18 **STIPULATION**

19 Defendant Gonzalo Covarrubias-Flores, by and through Assistant Federal Public
20 Defender Varell L. Fuller, and the United States, by and through Special Assistant United States
21 Attorney Carolyn Sanin, hereby stipulate that, with the Court's approval, the status hearing
22 currently set for Monday, August 6, 2012, at 1:30 p.m., shall be continued to Monday,
23 September 17, 2012 at 1:30 p.m.

24 The reason for the continuance is defense counsel requires additional time to conduct
25 further investigation and complete ongoing legal research necessary to adequately advise Mr.
26 Covarrubias-Flores.

1 For the foregoing reasons, the parties jointly request and agree to an exclusion of the time
2 between August 6, 2012, and September 17, 2012, under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

4 IT IS SO STIPULATED.

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6 Dated: August 1, 2012

7 _____/s/_____
VARELL L. FULLER
8 Assistant Federal Public Defender

9 Dated: August 1, 2012

10 _____/s/_____
ANN MARIE URSINI for
CAROLYNE A. SANIN
Special Assistant United States Attorney

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15 ~~XXXXXXXXXX~~
[PROPOSED] ORDER

16 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
17 ORDERED that the hearing currently set for Monday, August 6, 2012, shall be continued to
18 Monday, September 17, 2012, at 1:30 p.m.

19 THE COURT FINDS that failing to exclude the time between August 6, 2012, and
20 September 17, 2012, would unreasonably deny defense counsel reasonable time necessary for
21 effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
22 3161(h)(7)(B)(iv).

23 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
24 between August 6, 2012, and September 17, 2012, from computation under the Speedy Trial Act
25 outweigh the interests of the public and the defendant in a speedy trial.


26 THEREFORE, IT IS HEREBY ORDERED that the time between August 6, 2012, and

1 September 17, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C.

2 § 3161(h)(7)(A) and (B)(iv).

3 IT IS SO ORDERED.

4 Dated: August 2, 2012

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6 THE HONORABLE EDWARD J. DAVILA
7 United States District Court Judge
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